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India

FAIRS Product Specific

The Food Safety and Standards Bill, 2005

2005

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Report Highlights:

The GOI has proposed an Integrated Food Law, called "The Food Safety and Standards Bill, 2005," which is now available for comments and suggestions from stakeholders and interested parties.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
New Delhi [IN1]
[IN]

Introduction: This report summarizes the proposed "The Food Safety and Standards Bill, 2005" ("The Bill"), which the Ministry of Food Processing Industry posted to its website on January 15, 2005, for suggestions and comments from all stakeholders and interested parties. According to the Food Processing Ministry, this proposed legislation is intended to be contemporary and comprehensive, and should ensure better consumer safety through food safety management systems and standards setting based on science and transparency. It also aims to meet the dynamic requirements of international trade and the Indian food trade and industry.

Quoting from a Public Notice in the Times of India on January 14, 2005: "All stakeholders viz. State Governments/U.T.s, Industry Associations, consumer organizations and **interested individuals** [emphasis by Post] may kindly furnish their suggestions/comments by 15.02.05."

Disclaimer: This summary is based on a *cursory* review of the subject announcement and therefore should not under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests.

Type of Regulation: Draft

Important Dates:

- **Publication Date:** January 15, 2005
- **Date for receiving comments:** February 15, 2005
- **Effective Date:** NA

Products Affected: All agricultural commodities and processed food products.

Agency in Charge: Ministry of Food Processing Industries, GOI

To whom to send suggestions & Comments:

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Proposed Major Changes:

Once the Bill is enacted, the GOI will establish a "Food Safety and Standards Authority of India" ("Authority") to exercise the powers conferred on it under the Bill. The Authority will regulate the manufacture, processing, import, export, distribution and sale of safe and wholesome food.

The Authority may establish:

- standards and guidelines in relation to articles of food, and specify an appropriate system for enforcing various standards notified under the Bill

- limits on the use of food additives, contaminants, pesticide residue, and residues of veterinary drugs
- mechanisms and guidelines for the accreditation of bodies engaged in the certification of food businesses
- procedures relating to food safety for entry and approval of any article of food imported into India
- procedures and enforcement of quality control and inspection in relation to commodities intended for exports
- procedures and guidelines for accreditation of laboratories; and the method of sampling and analysis for enforcement authorities

The proposed legislation discusses in detail General Principles of Food Safety; General Provisions as to Articles of Food; Special Responsibilities as to Food Safety; Analysis of Articles of Foods and Enforcement of the Act; General Provisions Relating to Import and Export; and Offences and Penalties.

With effect from the date on which this Bill is enacted and comes into force, the following Food Laws shall stand repealed (subject to certain conditions):

1. The Prevention of Food Adulteration Act, 1954.
2. The Fruit Products Order, 1955.
3. The Milk and Milk Products Order, 1992.
4. The Meat Food Products Order, 1973.
5. The Vegetable Oil Products (Control) Order, 1947.
6. The Edible Oils Packaging (Regulation) Order, 1998.
7. The Solvent Extracted Oil, De-oiled Meal, and Edible Flour (Control) Order, 1967.
8. The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply, and Distribution) Act, 1992.
9. Any other order issued under the Essential Commodities Act, 1955, relating to food

Also on enactment of this bill, sections relating to food will be deleted/modified from the following other laws:

1. The Standards of Weights and Measurement Act, 1976 (The Packaged Commodity Rules, 1977).
2. The Export (Quality Control and Inspection) Act, 1963.
3. The Environment Protection Act, 1986 and the Environment Protection Rules, 1989.
4. The Bureau of Indian Standards Act, 1986.
5. The Agricultural Produce (Grading and Marketing) Act, 1937.
6. The Customs Act, 1962.
7. The Foreign Trade (Development and Regulation) Act, 1992.
8. Other Acts/Orders enacted or issued by the State Governments and Union Territories.

The full text of the Food Safety and Standards Bill, 2005 is available at:

<http://mofpi.nic.in/foodsfty.htm>

For More Information: Contact the Ministry of Food Processing Industry website:

<http://mofpi.nic.in/>

This website is mentioned for readers' convenience; USDA does **NOT** in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained in the above site.